



CITY OF BANGOR

(TITLE.) Ordinance, Adopting Chapter 95, Cultural Development.

Be it ordained by the City of Bangor, as follows:

The Code of the City of Bangor is hereby amended by adding thereto a new chapter, to be Chapter 95, Cultural Development, to read as follows:

§ 95-1. Legislative findings and declarations.

- A. The social, educational, artistic and economic impact of arts, humanities and culture is dynamic; the City must respond appropriately to changes in those areas;
- B. Art and culture are relevant, meaningful, inspiring, central to the integrity of one's being, and strong contributors to the community's unique sense of place;
- C. Art and culture are not only for the affluent, and art in public places is for the benefit of everyone; art and cultural activities should be accessible to everyone;
- D. Art and culture are engines of economic growth, and as such should be nurtured to achieve economic benefits and to attract and retain the creative workforce and residents necessary for our community to thrive;
- E. The purpose of municipal support of arts, cultural and humanities activities, organizations, and public art collections is to help to sustain the level of activity and accessibility that meets the community's needs;
- F. The public sector must lead initiatives to meet the community's cultural needs if private participation is to follow;
- G. The City should actively seek to partner with all sectors of the community (i) to ensure public accessibility to arts and cultural organizations, and (ii) to advance the organizational and financial stability of such organizations;
- H. The City should create forums that promote active collaboration of leaders and organizations from arts, culture, business, education, government, foundation, entertainment, media and recreation sectors;
- I. The City should maintain strong communications with the University of Maine and collaborate on cultural projects whenever possible for the mutual benefit of the Bangor and University communities;
- J. The City should communicate its cultural plans and activities to surrounding communities and solicit financial and/or in-kind participation in support of public infrastructure that is used as a venue for arts/cultural/humanities activities serving the region and/or contributing significantly to the economy of the region;

- K. The City should encourage the promotion of an art/culture/humanities aspect in regional planning and marketing initiatives in which Bangor is a partner;
- L. The City should encourage collaboration between providers of public transportation and cultural organizations;
- M. The City recognizes that its infrastructure and visitor climate (including sign systems and pedestrian safety) should be conducive to finding and utilizing arts and cultural venues; and
- N. The City should endeavor to provide annual funding for the preservation, restoration and enhancement of its public art collection, in recognition of the fact that only by instituting a steady stream of funding and standing by such a commitment will the City be able to fulfill its role as steward of its public art collection.

§ 95-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

COMMISSION - Commission for Cultural Development.

DISTRICT - Art and Cultural District.

Terms not defined herein shall have the customary dictionary meaning.

§ 95-3. “Art and Cultural District” established.

The Municipal Development District (also known as the Bangor Center Management District) as established by the City Council, and as may be amended from time to time, is hereby co-designated as Bangor's Art and Cultural District.

§ 95-4. Administration.

This Chapter shall be administered by the Commission for Cultural Development, with staff support coordinated by the Business & Economic Development Officer, who shall consult with the following departments, as necessary: Community and Economic Development, Engineering, Finance, Parks and Recreation, Planning, and Public Services.

§ 95-5. Cultural survey.

The Commission shall conduct a “Cultural Survey” assessing Bangor’s cultural needs. Said survey shall be updated every five years. The initial survey and any update thereto shall be reported to the Bangor City Council.

The Cultural Survey shall include, but shall not be limited to, an inventory of the City’s cultural assets, a list of the City’s cultural needs, and strategies for meeting those needs and preserving existing assets. The term “cultural asset” is intended to be broadly construed to include a wide variety of items, including, but not limited to, musical artists and venues, visual forms of expression such as painting, murals, and sculptures, literary resources, dance and performance art, folk art and performance, etc.

§ 95-6. “Arts & Cultural Policy”.

- A. The Commission shall draft a comprehensive “Arts & Cultural Policy”, using a 5-year vision statement and strategic objectives that support the vision statement and based on an assessment of Bangor's cultural needs and assets.
- B. The policy shall, inter alia:
 - i. identify those features that are essential to a favorable economic environment for artists, including venues for marketing their products and services, and affordable housing;
 - ii. identify an appropriate balance for arts/culture/humanities amidst the entire spectrum of community needs, remaining mindful of our citizens' basic unmet needs; and
 - iii. assess the quality and economic impact of existing cultural assets.
- C. The draft policy shall be reported to the Bangor City Council, who shall have the sole authority to adopt, reject, or revise said policy.
- D. The Commission shall review any adopted Arts & Cultural Policy every five years and may make recommendations on amendments to said policy to the Bangor City Council. The Bangor City Council shall have the sole authority to adopt, reject, or revise any such amendments.

§ 95-7. Cultural grant program and budget recommendation.

- A. The Commission shall develop annual program and budget recommendations relating to cultural grants and public art for review and consideration by the City Council. The Bangor City Council shall have the sole authority to adopt, reject, or revise any budget recommendation.
- B. The Commission shall review grant applications from arts and cultural organizations and recommend a course of action to the City Council for its review and consideration. The Bangor City Council shall have the sole authority to adopt, reject, or revise any such recommendation.

The Commission will make its recommendation relative to funding and access to cultural activities and projects without attempting to influence programming or content or diminishing its capacity to challenge audiences. In making its recommendation, the Commission shall consider the following:

- i. Only non-profit organizations may be considered;
- ii. Applications shall be reviewed in accordance with a funding cycle calendar published by the Finance Director of the City of Bangor;
- iii. Any appropriation that is not used in a given fiscal year shall be added to a reserve account established to fund future meritorious requests;
- iv. Collaboration, partnering, and cooperation among arts and cultural groups in programming and operations (where possible) are highly weighted factors in determining (a) whether to award the grant, and (b) the size of the grant;
- v. A demonstrable material economic impact factor (relative to the funding request) will be a weighting factor in determining (a) whether to award the grant, and (b) the size of the grant;

- vi. Funding from other sources is required to match City funding in whole, or in part. The Commission shall recommend a required matching percentage. Said funding may take the form of revenues, grants, sponsorships or donations;
 - vii. Those programs or events that are planned to be recurring in nature and which are projected to become self-sustaining within five years will receive greater consideration for public funding than those which cannot be expected to become substantially self-sustaining;
 - viii. Every application for municipal funding must include a set of quantifiable goals as well as a set of subjective goals;
 - ix. The Commission shall make every attempt to understand and assess each artistic/cultural item, concept, and proposal the comes before it, and balance its current popularity with a vision for its enduring relevance and value; and
 - x. Notwithstanding any of the above criteria, applications for financial assistance will be considered first and foremost on the quality of the proposed project, understanding that quantifiable criteria are not the only barometers of success.
- C. Every recipient of municipal funding shall submit a post-project report of accountability, comparing actual results to the quantifiable and subjective goals identified in the funding application. No additional funding will be granted to any applicant that has not provided the requisite post-project report related to earlier grants.
 - D. The Commission shall work with and advise the community and its arts/cultural/humanities organizations on the development of new funding sources via activities and programs and work with the community to identify and encourage opportunities for the incubation of promising arts and cultural enterprises.

§ 95-8. “Public Art & Monuments Policy”.

- A. The Commission shall review the “Public Art & Monuments Policy” regarding guidelines for accepting, de-accessioning, locating, relocating, commissioning, preserving and maintaining public art, including monuments.
- B. Proposed changes shall be reported to the Bangor City Council, which shall have the sole authority to adopt, reject, or revise said policy.
- C. In the event any public art or monument is proposed, the Commission shall review the proposal in accordance with the Public Art & Monuments Policy and make a recommendation on accepting, de-accessioning, locating, relocating said proposed art or monument to the Bangor City Council. The Bangor City Council shall have the sole authority to adopt, reject, or revise any such recommendation.
- D. The Commission shall review the Public Art & Monuments Policy every five years and may make recommendations on amendments to said policy to the Bangor City Council. The Bangor City Council shall have the sole authority to adopt, reject, or revise any such amendments.

